

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HAGBERG et al.

Application No.: 09/856,470

Filed: August 16, 2001



Art Unit: 1634

Examiner: J. Einsmann

Attorney Dkt. No.: 108172-00071

For: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO
IMPROVE THEIR CHOLESTEROL LEVELS AND DIABETES STATUS
WITH EXERCISE

STATEMENT UNDER 37 C.F.R. § 1.821

Commissioner of Patents
Washington, D.C. 20231

April 7, 2003

Sir:

In accordance with 37 C.F.R. § 1.821 and in accordance with the Examiner's request, Applicants hereby resubmit the Sequence Listing for the above-referenced application in paper copy and computer readable form.

The name of the file on the computer readable form is 10817271.app. The paper copy and computer readable form are the same, and no new matter has been added.

In the event that this paper is not considered timely filed, Applicant hereby petitions for an appropriate extension of time. If necessary, please charge any

additional amounts or credit any overpayments to Direct Deposit Account Number 01-2300 referring to client matter number 108172-00071.

Respectfully Submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

A handwritten signature in dark ink, appearing to read "D. Daniel Dzara, II", written over a horizontal line.

D. Daniel Dzara, II
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Enclosures:

- Sequence Listing on Diskette
- Sequence Listing in Paper Form